

Remarks

Claims 23-39 are pending. Claims 23, 28, 29, and 36 have been amended in this Response. Reconsideration and allowance are respectfully requested in light of the above amendments and the following remarks.

Rejections - 35 U.S.C. §103

1. 35 U.S.C. §103(a) in view of Hayashi and Ormiston

Claims 23-25, 37-31, and 36-39 stand rejected under U.S.C. §103(a) in view of Japanese unexamined Patent Application Hei 02-011899 by Hayashi et al. (“Hayashi”) and U.S. Patent No. 4,671,740 by Ormiston et al. (“Ormiston”). Insofar as it may be applied against the Claims, Applicant believes these rejections have been overcome.

Rejected independent Claim 23 as now amended more particularly recites one of the distinguishing characteristics of the present invention, namely, “plates ...[and] tiles being *in an alternating adjacent arrangement* to form irregular seams,” and rejected independent Claim 36 as now amended more particularly recites one of the distinguishing characteristics of the present invention, namely, “arranging *adjacent* tiles in a staggered manner.” (Emphasis added.) Support for these amendments can be found, among other places, in FIG. 4 of the original Application.

Specifically, the present inventions of Claims 23 and 36 incorporate adjacent tiles or plates arranged in a pattern such that an irregular seam is formed. Ormiston discloses an irregular planar pattern and, on page 4 of the translation, Hayashi discloses “an irregular surface...formed at corner part (25) along the longitudinal direction of liner (20).” However, neither Ormiston nor Hayashi disclose the formation of an irregular seam by the use of adjacent tiles or plates as seen in FIGS. 3-8 of the original Application. The use of an irregular seam by utilizing alternating adjacent tiles allows for more precise control of flow, which would not be provided by either Hayashi or Ormiston. Thus, neither Hayashi nor Ormiston, singularly or in combination, teach, suggest, or disclose each and every element of the present invention. Accordingly, Applicant respectfully requests that the

rejections of Claims 23 and 36 under 35 U.S.C. §103(a) in view of Hayashi and Ormiston be withdrawn and Claims 23 and 36 be allowed.

Regarding Claims 28 and 29, Applicant has amended Claims 28 and 29 such that each Claim is not a product-by-process claim but, instead, are apparatus claims. Accordingly, for at least the aforementioned reasons and because Claims 28 and 29 depend on and further limit Claim 23, these Claims should be deemed to be in condition for allowance. Therefore, Applicant respectfully requests that the rejections of dependent Claims 28 and 29 also be withdrawn.

Claims 24, 25, 27, 30, 31, and 37-39 depend on and further limit either of Claims 23 or 36. Hence, for at least the aforementioned reasons, these Claims should be deemed to be in condition for allowance. Applicant respectfully requests that the rejections of dependent Claims 24, 25, 27, 30, 31, and 37-39 also be withdrawn.

2. 35 U.S.C. §103(a) in view of Hayashi, Ormiston, and Jackson

Claim 26 stands rejected under U.S.C. §103(a) in view of Hayashi, Ormiston, and U.S. Patent No. 4,884,820 by Jackson et al. ("Jackson"). Insofar as it may be applied against the Claims, Applicant believes these rejections have been overcome.

Claim 26 depends on and further limits Claims 23. Hence, for at least the aforementioned reasons, this Claim should be deemed to be in condition for allowance. Applicant respectfully requests that the rejections of dependent Claim 26 also be withdrawn.

Allowed Claims

Claims 32-35 are in condition for allowance for which the Applicant wishes to thank the Examiner.

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Conclusion

Applicant has now made an earnest attempt to place this Application in condition for allowance and believes this Response to be fully responsive. Therefore, Applicant respectfully requests, for the reasons set forth herein and for other reasons clearly apparent, full allowance of Claims 23, 28, 29, and 36 (as amended) and Claims 24-27, 30-35, and 37-39, so that the application may be passed to issue.

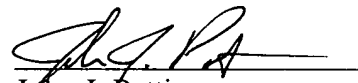
Applicant does not believe that any fees are due; however, in the event that any fees are due, the Commissioner is hereby authorized to charge any required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper to Deposit Account 50-2180 of Storm LLP.

Should the Examiner require any further clarification to place this Application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,

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